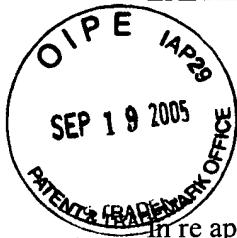


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PATENT APPLICATION  
Docket No. 15436.247.45.1.1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Jeffrey D. Walker

Serial No.: 10/017,358 ) Art Unit  
Confirmation No.: 6851 ) 2633  
Filed: December 13, 2001 )  
For: OPTICAL TRANSMITTER INCLUDING )  
A LINEAR SEMICONDUCTOR )  
OPTICAL AMPLIFIER )  
Customer No: 22913 )  
Examiner: David C. Payne )

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

**Mail Stop: AMENDMENT**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

Dear Sir:

In response to the Notice of Non-Compliant Amendment mailed from the United States Patent and Trademark Office on September 6, 2005, enclosed are formal Figures 1-6 to replace the figures submitted with the amendment document that was filed on August 19, 2005. The enclosed formal Figures 1-6 are now properly identified as "Replacement Drawings" as required by 37 C.F.R. 1.121. In view of this submission, applicant respectfully submits that the amendment document filed on August 18, 2005 is now in compliance with 37 C.F.R. 1.121 and entry thereof is respectfully requested.

**Correct Docket No. - 15436.247.45.1.1**

Applicant notes that the Office Action erroneously refers to Docket No. "21153-05929." In connection with the foregoing, Applicant notes that a Revocation and Substitute Power of Attorney (filed June 16, 2003 and January 25, 2005) is of record in this case and, further, Exhibit B (also of record) to the aforementioned Revocation and Substitute Power of Attorney clearly identified the serial number of this

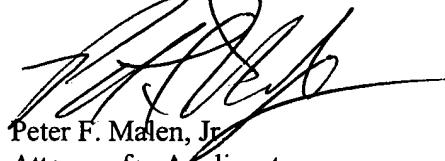
Application No. 10/017,358  
Docket No. 15436.247.45.1.1  
Reply to Office Action mailed September 6, 2005

case (10/017,358) as corresponding with docket number 15436.247.45.1.1. A Notice of Acceptance of Power of Attorney (mailed April 7, 2005) is also of record in this case, although the Notice of Acceptance of Power of Attorney continues to refer to the aforementioned incorrect docket number.

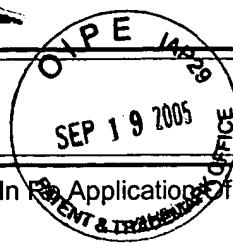
In light of the foregoing, Applicant respectfully requests that all future communications from the USPTO concerning this case cite the correct docket number, namely, 15436.247.1.1. Applicant further requests that all applicable USPTO records be timely updated to reflect the correct docket number.

Dated this 19<sup>th</sup> day of September, 2005.

Respectfully submitted,



Peter F. Malen, Jr.  
Attorney for Applicant  
Registration No. 45,576  
Customer No. 022913  
Telephone No. (801) 533-9800



**TRANSMITTAL LETTER  
(General - Patent Pending)**

Docket No.  
15436.247.45.1.1

In Person Application of: Jeffrey D. Walker

Application No. 10/017,358	Filing Date December 13, 2001	Examiner David C. Payne	Customer No. 022913	Group Art Unit 2633	Confirmation No. 6851
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**Title: OPTICAL TRANSMITTER INCLUDING A LINEAR SEMICONDUCTOR OPTICAL AMPLIFIER**

**COMMISSIONER FOR PATENTS:**

Transmitted herewith is:

**Response to Notice of Non-Compliant Amendment (2 pgs); Replacement Drawings (8 sheets); and Postcard**

in the above identified application.

- No additional fee is required.
- A check in the amount of \_\_\_\_\_ is attached.
- The Director is hereby authorized to charge and credit Deposit Account No. 23-3178 as described below.
  - Charge the amount of \_\_\_\_\_
  - Credit any overpayment.
  - Charge any additional fee required.
- Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Signature

Dated: September 19, 2005

Peter F. Malen, Jr.  
Attorney for Applicant  
Reg. No. 45,576  
Telephone No. 801-533-9800

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on \_\_\_\_\_

(Date)

**Signature of Person Mailing Correspondence**

**Typed or Printed Name of Person Mailing Correspondence**

CC:

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Jeffrey D. Walker

Docket No.

15436.247.45.1.1

Application No.  
10/017,358Filing Date  
December 13, 2001Examiner  
David C. PayneCustomer No.  
022913Group Art Unit  
2633

Invention: OPTICAL TRANSMITTER INCLUDING A LINEAR SEMICONDUCTOR OPTICAL AMPLIFIER

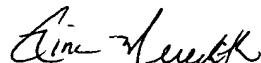
SEP 19 2005

U.S. PATENT &amp; TRADEMARK OFFICE

I hereby certify that the following correspondence:

**Response to Notice of Non-Compliant Amendment (2 pgs); Replacement Drawings (8 sheets); Transmittal Letter (1 pg in duplicate); and Postcard.***(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

September 19, 2005*(Date)***Gina Meredith***(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***EV 680255825 US***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**